

UNITED STATES COURT OF FEDERAL CLAIMS

SPACE EXPLORATION COMPANY
TECHNOLOGIES CORP.,
Plaintiff

V.

THE UNITED STATES,
Defendant

and

UNITED LAUNCH SERVICES, LLC,
Defendant-intervenor

)
)
)
)
)
)
)
)
) Case No. 1:14-cv-00354-SGB
) Judge Susan G. Braden

**APPLICATION FOR ACCESS TO INFORMATION UNDER
PROTECTIVE ORDER BY EXPERT CONSULTANT OR WITNESS**

1. I, Lawrence J. Ross, am the Chief Executive Officer of Aerospace Engineering Associates, and hereby apply for access to protected information covered by the Protective Order issued in connection with this proceeding.

2. I have been retained by Charles J. Cooper, Cooper & Kirk PLLC and will, under the direction and control of that attorney, assist in the representation of United Launch Services, LLC in this proceeding.

3. I hereby certify that I am not involved in competitive decision making as discussed in *US. Steel Corp. v. United States*, 730 F.2d 1465 (Fed. Cir. 1984), for or on behalf of any party to this proceeding or any other firm that might gain a competitive advantage from access to the information disclosed under the protective order. I do not provide advice or participate in any decisions of such parties in matters involving similar or corresponding information about a competitor. This means, for example, that I do not provide advice concerning, or participate in decisions about, marketing or advertising strategies, product research and development, product design or competitive structuring and composition of bids, offers, or proposals with respect to which the use of protected information could provide a competitive advantage.

4. My professional relationship with the party for whom I am retained in this proceeding and its personnel is strictly as a consultant on issues relevant to the proceeding. Neither I nor any member of my immediate family holds office or a management position in any company that is a party in this proceeding or in any competitor or potential competitor of a party.

5. I have attached the following information:

a. a current resume describing my education and employment experience to date:

See Attachment A

b. a list of all clients for whom I have performed work within the two years prior to the date of this application and a brief description of the work performed;

See Attachment B.

c. a statement of the services I am expected to perform in connection with this proceeding;

See Attachment C

d. a description of the financial interests that I, my spouse, and/or my family has in any entity that is an interested party in this proceeding or whose protected information will be reviewed; if none, I have so stated;

See Attachment D

e. a list identifying by name of forum, case number, date, and circumstances all instances in which I have been granted admission or been denied admission to a protective order, had a protective order admission revoked, or have been found to have violated a protective order issued by an administrative or judicial tribunal; if none, I have so stated; and

See Attachment E

f. a list of the professional associations to which I belong, including my identification numbers.

See Attachment F

6. I have read a copy of the Protective Order issued by the court in this proceeding. I will comply in all respects with all terms and conditions of that order in handling any protected information produced in connection with the proceeding. I will not disclose any protected information to any individual who has not been admitted under the Protective Order by the court.

7. For a period of five years after the date this application is granted, I will not engage or assist in the preparation of a proposal to be submitted to any agency of the United States government for Space Launch Vehicle Services when I know or have reason to know that any party to this proceeding, or any successor entity, will be a competitor, subcontractor, or teaming member.



Signature of Expert or Consultant

September 29, 2014

Date Executed

Larry Ross

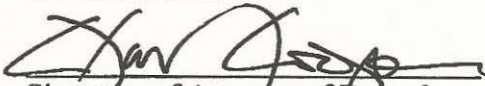
Typed Name and Title

T: (440) 871-9585 F: 440-899-9316

Telephone & Facsimile Numbers

ljross1@att.net

E-mail Address



Signature of Attorney of Record

September 30, 2014

Date Executed

Charles J. Cooper

Typed Name and Title

T: (202) 220-9600 F: (202) 220-9601

Telephone & Facsimile Numbers

ccooper@cooperkirk.com

E-mail Address

ATTACHMENT A RESUME FOR LAWRENCE J. ROSS

Education

- B.S., Electrical Engineering, Manhattan College, 1963
- Harvard University, John F. Kennedy School of Government, Senior Managers in Government Program, 1992

Summary of Qualifications

- Over 50 years of management and technical experience in space related projects such as development of new technology spacecraft, launch vehicle systems, and advanced propulsion systems
- As Director of the NASA Lewis Research Center (now the Glenn Research Center), responsible for delivering a diverse product line of research, technology and systems development for the Nation's space and aeronautical undertakings
- Specific expertise is in management of aerospace organizations and launch vehicle systems

Work History

Lawrence J. Ross, Consultant *1995–Present*

- Consultant to clients in the Aerospace Industry, including NASA, Kelly Anderson and Associates, DoD, Motorola, Loral Corp., Analex Corp., Swales Aerospace, SAIC, Aerospace Corporation, Battelle Memorial Institute, UTA Inc., Intellisource Inc.
- Performed technical studies of aerospace related issues for the purpose of formulating strategic plans and investment strategies
- Examined and made recommendations with respect to specific organizational and management problems being encountered by a client organization
- Provided assistance in proposal formulation and conducting due diligence reviews
- Assessed launch readiness of launch vehicles, assessing the state and viability of specific aerospace projects
- Applied probabilistic risk assessments to the decision space involving the future plans for large space transportation systems
- January 2007 – Co-founder and CEO of Aerospace Engineering Associates LLC. Co-authored "Mission Success First: Lessons Learned"; Co-presented "Mission Success First: Lessons Learned" class over 80 times to 30 organizations in 6 countries on 3 continents
- Provided launch vehicle expert witness testimony on behalf of the plaintiff in a 2013 civil litigation matter

NASA Wind Tunnel Program Office, Director

1994–1995

- An *ad hoc* assignment reporting to the Administrator of NASA to set-up, organize and direct a task force responsible for planning a proposed \$2.5B National Wind Tunnel Complex

NASA Lewis Research Center, Director, Deputy Director, Space Director 1963-1994

- Chief Executive of NASA's Lewis Research Center, a 5,000 person, \$1B operation responsible for delivering a diverse product line of research, technology and systems development for the Nation's space and aeronautical undertakings
- As Deputy Director, assist the Director the management of the Lewis Research Center with an emphasis on conducting the day-to-day operations
- Chairman of Delta Rocket #178 Flight Accident Review Board -An *ad hoc* assignment to organize and manage an in-depth investigation into the cause of the flight failure and to formulate a set of corrective actions to preclude future flight failures
- As Director of Space, propose, advocate and execute space related projects such as development of new technology spacecraft, launch vehicle systems, and advanced propulsion systems
- Various positions at NASA Lewis Research Center associated with the development and launch of Titan and Atlas based launch vehicles including assignments as Design Engineer, Project Engineer, Chief Engineer, and, Project Manager

Awards and Certifications

- NASA Exceptional Service Award, 1975
- NASA Candidate for the Arthur S. Fleming Award, 1980
- Nelson P. Jackson Aerospace Award (group recognition), 1981
- Presidential Rank of Meritorious Executive (\$10,000 stipend), 1981
- NASA Outstanding Leadership Medal, 1983
- Presidential Rank of Meritorious Executive (\$10,000 stipend), 1989
- Presidential Rank of Distinguished Executive (\$20,000 stipend), 1991
- Manhattan College, Outstanding Engineering Graduate, 1992

ATTACHMENT B
CLIENT LIST FOR FOR LARRY ROSS
CLIENT DESCRIPTION OF WORK PERFORMED

1. National Aeronautics and Space Administration:
 - Presentation of proprietary AEA aerospace engineering courses.
 - Technical consultation on various aerospace engineering matters.
2. Wilmer Cutler Pickering Hale and Dorr LLP
 - Expert Witness testimony on behalf of the plaintiff in litigation concerning a launch vehicle system related matter.
3. European Space Agency
 - Presentation of proprietary AEA aerospace engineering courses.
4. The Scientific and Technological Research Council of Turkey
 - Presentation of proprietary AEA aerospace engineering course.
5. Anadolu University, Turkey
 - Presentation of proprietary AEA aerospace engineering course.
6. Jet Propulsion Laboratory
 - Presentation of proprietary AEA aerospace engineering course.
7. Turkish Aerospace Industries, Turkey
 - Presentation of proprietary AEA aerospace engineering course.
8. Disneyland
 - Presentation of proprietary AEA aerospace engineering courses.
9. DSO National Laboratories, Singapore
 - Presentation of proprietary AEA aerospace engineering course.
10. Hunton and Williams LLP
 - Aerospace engineering consultation in a matter involving litigation in connection with a launch vehicle system.

ATTACHMENT C
STATEMENT OF SERVICES FOR LARRY ROSS

I have been retained to assist outside counsel for United Launch Services, LLC with respect to bid protest proceedings. My assistance is expected to include the review and analysis of engineering and program management, including analysis of documents related to new entrant certification and capabilities to perform EELV program missions.

ATTACHMENT D
SUMMARY OF RELEVANT FINANCIAL INTERESTS FOR LARRY ROSS

I, Larry Ross, and my wife and family do not hold financial interests in any entity that is an interested party in this action or whose protected material will be reviewed. This statement does not pertain to mutual funds or other financial vehicles, which may be held by me, my wife or my family, for which the owner does not have control over individual purchases of securities.

ATTACHMENT E
PROTECTIVE ORDER HISTORY FOR LARRY ROSS

[If applicable, list any protective orders to which you have been applied].

NONE.

ATTACHMENT F
PROFESSIONAL ASSOCIATION SUMMARY FOR LARRY ROSS

NONE.